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By: THOMAS M. GALGANO

Date: 5/29/08

PATENT
DOCKET NO. 994-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : MAURICE PALESCHUCK
PATENT NO. : 6,994,022
SERIAL NO. : 10/676,681
ISSUE DATE : FEBRUARY 7, 2006
TITLE : AIRCRAFT TRASH MANAGEMENT SYSTEM

06/02/2008 SSITHIB1 00000065 6994022

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100.00 DP

REQUEST FOR CERTIFICATE OF CORRECTION

Commissioner of Patents
Office of Patent Publications
ATTN: Certificate of Correction Branch
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate
JUN 03 2008
of Correction

Dear Sir:

Applicant respectfully requests a Certificate of Correction be issued regarding the above U.S. Letters Patent No. 6,994,022.

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REMARKS

By this request for a Certificate of Correction, Applicant is seeking to make the same minor corrections to Figure 21 as have been previously approved in the related continuation application Serial No. 11/324,661 and to correct minor typographical errors in the last sentence of the Abstract.

In particular, in the Abstract the word "inventor" should be "invention" and the word "central" should be "control." Therefore, the last sentence of the Abstract on the front page should be corrected as follows:

- -The invention ~~inventor~~ also relates to a control ~~central~~ valve assembly for simultaneous compacting and draining.- -

In addition, Applicant seeks to correct minor errors in Figure 21. These amendments to Figure 21 were mailed on July 18, 2007 in a related continuation application Serial No. 11/324,661 (Exh. A) and were accepted in the Office Action dated October 9, 2007 (Office Action Summary enclosed as Exh. B). As seen in Figure 21 of the Certificate of Correction, it has been corrected to properly label Position 2 (ON), the compact and drain position of valve 226, as described on the last paragraph on page 17 of the specification. In addition, the vertical connector line on the right hand side of valve 226 has been adjusted so that it connects to the diagonal arrow connector and an arrow head has been added to the vertical line of the right hand side of valve 226, so that the same functions as correctly set forth in the specification at pages 17-20.

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These amendments were made so that the schematic diagram of the four port, two position switch as described on page 17 will properly conform to the specification. Specifically the amendments were necessary to show that when the switch is in Position 2, the ON position, that both Cab hi and Cab low will be connected to dm and amb will be blocked (see specification p.16). The addition of the arrow head was necessary to show the connections when the switch is in Position 2 (ON) (see specification p.16).

It is not believed that these corrections add any new matter to the patent since they serve to simply illustrate the position of the valve as specifically described in the specification as noted above and was previously accepted in the related continuation application by Examiner Jack H. Morgan.

USPTO Credit Card Payment form 2038 in the amount of \$100.00 is enclosed herewith to cover the official filing fee for the Request for Certificate of Correction. The Commissioner is hereby authorized to credit any overpayment or charge any fee deficiency to Deposit Account No. 50-3990.

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In view of the foregoing, Applicant respectfully requests that the Certificate of Correction be issued to correct these minor errors.

Respectfully submitted,

MAURICE PALESCHUCK



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GALGANO & ASSOCIATES, PLLC
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Long Beach, New York 11561
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TMG/jgb/jgg

Enclosures: Certificate of Correction

Exhibit A - Amendment in Reply to April 18, 2007 Office Action
(w/drawing but w/o Exhibits A&B and Abstract)

Exhibit B - Office Action Summary dated October 9, 2007
(approving drawing corrections)

USPTO Form 2038 in the amount of \$100.00

Postcard

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UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,994,022

APPLICATION NO.: 10/676,681

ISSUE DATE : February 7, 2006

INVENTOR(S) : Maurice Paleschuck

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the front page, the last line of the Abstract should read:

- - The invention also relates to a control valve assembly for simultaneous compacting and draining.- -

In the drawings, Sheet 13, Figure 21 should appear as follows:

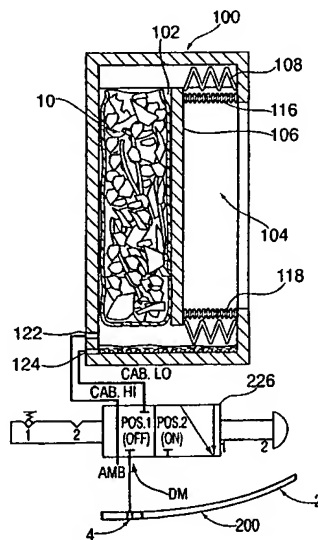


FIG. 21

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Thomas M. Galgano, Esq.
GALGANO & ASSOCIATES, PLLC
20 W. Park Avenue, Suite 204, Long Beach, NY 11561

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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EXHIBIT A

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By: 

THOMAS M. GALGANO

Date: July 18, 2007



PATENT

DOCKET NO.: 994-3(CON)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : MAURICE PALESCHUCK
SERIAL NO. : 11/324,661
FILED : JANUARY 3, 2006
TITLE : AIRCRAFT TRASH MANAGEMENT SYSTEM
EXAMINER : JACK HOSMER MORGAN
ART UNIT NO. : 3782

AMENDMENT IN REPLY TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated April 18, 2007, please amend the above-identified application as follows:

Amendments to the Specification are reflected on page 3 of this paper.

Amendments to the Drawing is reflected on page 7 of this paper.

Amendments to the Claims are reflected on page 8 of this paper.

A new Abstract of the Disclosure is enclosed herewith.

Remarks begin on page 11 of this paper.

IN THE SPECIFICATION

Page 1, line 3, in the title, please rewrite the title as follows:

- - AIRCRAFT TRASH MANAGEMENT SYSTEM BAG. - -

Please replace the last paragraph on page 7, lines 20-22 through page 8, lines 1-11 with the following amended paragraph:

- - The compactor is operated with a three position valve. When the valve is moved from the first (off) position to the second (compact) position, the upper outlet of the compacting chamber is coupled to the interior of the plunger of the modified bilge drain valve. At altitude, this causes the air inside the compacting chamber to exit the chamber to the outside atmosphere. Due ~~to~~ to the pressure differential between atmospheric pressure and cabin pressure, the compactor crusher plate is moved against the springs and compacts the trash in the bag in the compacting chamber against the opposite wall of the compactor cabinet. When the valve is moved back to the off position the upper outlet is coupled to cabin pressure, the springs pull the plate back and the compacted trash falls to the bottom of the bag. When the valve is moved to the third (drain) position, the bottom of the compacting chamber is coupled to the aircraft grey water system and the liquid at the bottom of the chamber is drained from the compactor. - -

Page 12, line 6 (three lines up from the bottom) through page 13, please rewrite the paragraph as follows:

- - The upper portion of the bag 10 is fabricated with tails and flaps such that a handle is formed for lifting the bag when it is removed from the compactor. Tunnels 12a, 14a are formed by two heat seals and are used to hang the bag on support arms inside the compactor described below with reference to FIGS. 12-17. Flaps (16a, 18a, 20a, 22a) are provided at opposite ends of the top of the bag to close the bag when full of compacted trash prior to removal from the compactor. Tails (at the top of panels 14 and 20) are tied in a knot over the flaps as shown in FIG. 9 and form a handle to lift the bag from the compactor and carry it off the aircraft. - -

Please replace the last paragraph on page 14, lines 18 - 21 with the following amended paragraph:

- - Referring now to Fig. 20, the compactor 100 of the invention is illustrated containing a trash filled bag 10 in the compartment 102 ~~104~~ and a schematic illustration of valve assembly 126 coupled to the ports 122, 124, the modified bilge valve 200 and the grey water drain mast 4. - -

Please replace the first paragraph on page 15, lines 1-18 with the following amended paragraph:

- - The valve assembly 126 has three positions. In the first "off" position, the upper port 122 is coupled to ambient cabin pressure and the lower port 124 is closed. When the valve is moved from the first (off) position to the second (compact) position, the upper port 122 of the compacting chamber is coupled to the elbow 214 of the modified bilge valve 200. At altitude, this causes the air inside the compacting chamber ~~104~~ 102 to exit the chamber to the outside atmosphere. Due to the pressure differential between atmospheric pressure and cabin pressure, the crusher plate 106 is moved against the springs 116, 118 and compacts the trash in the bag 10 in the compacting chamber. As this is happening, liquid trash will accumulate in the bottom of the chamber ~~104~~ 102. The position of the port 122 above the bottom of the chamber ~~104~~ 102 assures that no liquid trash is allowed to exit through the bilge valve. When the valve assembly is moved back to the off position the upper port 122 is coupled to cabin pressure, the springs pull the crusher plate back and the compacted trash falls to the bottom of the bag 10. When the valve assembly is moved to the third (drain) position, the bottom of the compacting chamber ~~104~~ 102 is coupled via the lower port 124 to the aircraft grey water system 4 and the liquid at the bottom of the chamber is drained from the compactor.- -

Please replace the last paragraph on page 15, lines 19-22 through page 16, lines 1-2 with the following amended paragraph:

- - Those skilled in the art will appreciate that in order for the compactor to function properly, the door 112 must seal the chamber ~~104~~ 102 from cabin pressure. This is effected by the gasket 134 shown in Figure 17. The nature of the gasket 134 is such that if any article of clothing or even the hair of the operator is between the door and the gasket, a proper seal will not be made and the compactor will not operate. - -

Please replace the last paragraph on page 17, lines 21-22 through page 18, lines 1-2 with the following amended paragraph:

- - Since the differential pressure has dropped to zero the force keeping the door sealed becomes zero and the compactor door can be opened ~~opened~~, the entire process can be repeated as many times as necessary to fill the trash bag with compacted, dry trash. - -

IN THE DRAWING

Please replace the three (3) sheets of Figs. 18- 21 with the new three replacement sheets of Figs. 18-21 enclosed herewith.

IN THE CLAIMS

Please revise the claims as follows:

1-7 (Cancelled)

8. (Currently Amended) A generally rectangular trash bag for use in an aircraft trash management system, said trash bag comprising:

a non-porous, generally rectangular flexible side wall, and

a porous, generally rectangular bottom panel, such that when said trash bag is filled with trash and is compacted, any liquid contained in the trash drains through said porous bottom panel, and wherein said porous bottom panel of said trash bag is impregnated with one of a non-leaching anti-bacterial agent and a leaching enzyme.

9. (Cancelled)

10. (Currently Amended) The trash bag according to claim 8, wherein:

said porous bottom panel of said trash bag is impregnated with a non-leaching antibacterial agent and a leaching enzyme.

11. (Currently Amended) The trash bag according to claim 8, wherein:
said side wall is polyethylene, and
said bottom panel is perforated polyethylene.
12. (Currently Amended) The trash bag according to claim 8, wherein:
said bottom panel includes a sheet of non-woven polypropylene.
13. (Currently Amended) The trash bag according to claim 8, wherein:
said bottom panel is perforated polyethylene covered with a sheet of non-woven polypropylene.
14. (Original) The trash bag according to claim 13, wherein
said polypropylene is impregnated with one of a non-leaching antibacterial agent and a leaching enzyme.
15. (Original) The trash bag according to claim 13, wherein:
said polypropylene is impregnated with a non-leaching antibacterial agent and a leaching enzyme.

16. (Cancelled)

17. (Cancelled)

18. (Currently Amended) The trash bag according to claim 8 ~~16~~, wherein:

said closure means includes a ~~ZIPLOCK~~ closure zipper.

19. (Currently Amended) The trash bag according to claim 8 ~~16~~, wherein:

said closure means includes a pair of tails adapted to be tied together.

20 - 27(Canceled)

REMARKS

Reconsideration and withdrawal of the rejection and the allowance of Claims 8, 10-15, 18 and 19 is respectfully requested in view of the foregoing amendments and the following remarks.

Concerning initially the Election/Restriction Requirement, Applicant hereby confirms its election of Claims 8-19 drawn to a bag with a porous bottom without traverse. In this Amendment, Claims 25 and 26 have been cancelled without prejudice subject to Applicant's right to prosecute them by way of a divisional application.

With respect to the objection to the drawing for not showing the drawstring of Claim 17, Claim 17 has been cancelled so as to obviate this objection.

As further requested, the Specification has been corrected by correcting the spelling of "of" on page 13, line 4 of the Specification. In addition, the brief description of the drawings on page 10 regarding Fig. 10 has been corrected to eliminate reference to a "drawstring". Relative to the use of the trademark "ZIPLOCK" in paragraph 7, please note that the same is capitalized wherever it appears in the application followed by the generic terminology "closure". Accordingly, it is believed that Applicant has used the mark in its proper manner.

Applicant has also revised the Abstract to conform it to the claims as elected, i.e., an Aircraft Trash Bag rather than the Aircraft Trash Management System. Similarly, the title has been amended accordingly as well.

In addition, Applicant seeks to correct the Specification, and amend Figs. 18-21 as was done in the parent case by way of Amendment and to also correct additional minor errors in Figure 21. As seen on the Replacement Sheet for Figure 21 enclosed herewith, Fig. 21 has been corrected to properly label Position 2 (ON), the compact and drain position of valve 226, as described on the last paragraph on page 17 of the specification. In addition, two minor errors in Fig. 21 have been amended. In Fig. 21, the vertical connector line on the right hand side of valve 226 has been adjusted so that it connects to the diagonal arrow connector and an arrow head has been added to the vertical line of the right hand side of valve 226, so that the same functions as correctly set forth in the specification at pages 17-20.

These amendments were made so that the schematic diagram of the four port, two position switch as described on page 17 will properly conform to the specification. Specifically, the amendments were necessary to show that when the switch is in Position 2, the ON position, that both Cab hi and Cab lo will be connected to dm and amb will be blocked (see specification p.16). The addition of the arrow head was necessary to show the connections when the switch is in Position 2 (ON) (see specification p.16). It is not believed that these corrections add any new matter to the patent since they serve to simply illustrate the position of the valve as specifically described in the specification as noted above.

Turning now to the 112 rejection of Claims 9, 10, 14, and 15 on the grounds that a type of non-leaching antibacterial agent and leaching enzyme is not specifically

disclosed and that therefore it is impossible for one of ordinary skill in the bag making art to create a bag impregnated with a non-leaching antibacterial agent or a leaching enzyme, it is respectfully submitted that such enzymes and antibacterial agents are well known to those of ordinary skill in the art. As examples, Applicant is enclosing herewith several pages from two websites which refer to the sale of suitable antimicrobial agents by AEGIS Environments (Exh. A) and enzymatic cleaners offered by Mirandy Aircraft Cleaners (Exh. B). These agents are available from a large number of different commercial sources and clearly the selection of suitable enzymes and non-leaching antibacterial agents would be well within the ability of one of ordinary skill in the art without "undue experimentation". Accordingly, withdrawal of the 112, first paragraph, rejection is respectfully solicited.

With respect to the rejection of Claims 9, 10, 14, and 15 regarding the terms "leaching" and "non-leaching", it is not believed that these terms render the claims indefinite. These terms clearly define a class of antibacterial agents and enzymes and, as described in the Specification, would be well understood by those skilled in the art, i.e., the "anti-leaching" antibacterial agent is one that will remain in the trash bag to attack bacteria and the "leaching" enzyme will leak out or leach through the bottom panel of the trash bag and enter the gray waterline of the aircraft where it can break down built-up plaque (see page 12, 2nd paragraph). Accordingly, it is believed that use of these terms to define the types of agents employed is sufficiently definite to one skilled in the art.

With respect to the 112 rejection of Claim 18, by this Amendment, the trademark "ZIPLOCK" has been removed from Claim 18 and has been replaced with "zipper" as suggested by the Examiner so as to overcome this ground of rejection.

Turning now to the 102 and 103 rejection of the claims, at the outset, it should be noted that, by this Amendment, the subject matter of Claims 9 and 16 have been incorporated into Independent Claim 8 and Claim 8 has been further amended to define a generally rectangular trash bag having a non-porous, generally rectangular flexible side wall and a porous generally rectangular bottom panel, to better distinguish the claimed invention over the prior art. Support for the addition of the term "generally rectangular" and "bottom panel" is supported by the drawing of record (note in particular Figs. 1-11). As will be discussed in greater detail hereinafter, it is respectfully submitted that the claims as amended are neither anticipated nor rendered obvious by the claims as now amended.

Concerning specifically the 102 rejection of Claims 8, 11, 16, and 19 as being anticipated by Imazeki et al., in view of the incorporation of the subject matter of Claims 9 and 16 into Claim 1, it is believed that the 102 rejection is rendered moot.

Moreover, it is respectfully submitted that the features of the invention as now set forth in the amended claims is also neither disclosed nor suggested by a combination of Imazeki et al. and the cited secondary references. In particular, Imazeki et al. discloses a trash bag which is generally circular in shape and which has perforations along the lower sidewall thereof. In fact, Imazeki et al. specifically states

at col. 3, lines 63-68:

"The trash bag 3 has a number of perforations 3a continuously arranged over the area expanding between the bottom thereof to the vertically intermediate portion to drain water which is put therein together with waste food." (emphasis added)

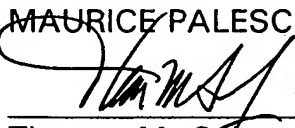
In contrast thereto, the present inventions comprises a generally rectangular trash bag having a generally rectangular side wall which is non porous and a porous, generally rectangular bottom panel. According to the present invention, the trash bag is intended for use in an aircraft trash management system where it is important that the trash bag only be porous in the bottom panel thereof to allow for the flow of liquid thereto to the drain, as more particularly described in the specification. The rectangular sidewalls are specifically limited to a non porous structure in contrast to the cited reference. Moreover, while Nagao discloses a plastic multi-layered sheet with an antibacterial agent, it does not suggest its use in the manner presently proposed- i.e., impregnated in the bottom panel of a generally rectangular trash bag for use in an aircraft trash management system as presently claimed. Similarly, while Bush discloses the use of an enzyme in a "Method and Device for Delivery of Substrate for the Detection of Enzyme-linked, Membrane-Based Binding Assays, it affords no suggestion whatsoever of its use in the manner as presently claimed, in the porous bottom panel of a trash bag.

Moreover, neither of these patents disclose nor suggest the preferred embodiment of the invention wherein the sidewall is polyethylene, the bottom panel is perforated polyethylene (Claim 11), where the bottom panel includes a sheet of non-woven porous polyethylene (Claim 12), where the bottom panel is perforated polyethylene covered with a sheet of non-woven polyethylene (Claim 13), which can be impregnated with one of the non-leaching antibacterial agents and a leaching enzyme or both as set forth in Claims 14 and 15. Furthermore, the combination of references does not disclose nor suggest the specific closure means as set forth in Claims 18 and 19 for use in combination with the novel aircraft trash bag as presently claimed. Indeed, it is respectfully submitted that it is only through hindsight reasoning in light of Applicant's disclosure that such a combination can be made and such a combination is of course, patentably improper.

In view of the foregoing, reconsideration and withdrawal of the rejection and allowance of the claims at an early date is earnestly solicited.

Respectfully submitted,

MAURICE PALESCHUCK


Thomas M. Galgano
Registration No. 27,638
GALGANO & ASSOCIATES, PLLC
Attorney for Applicant
20 W. Park Avenue, Suite 204
Long Beach, New York 11561
(516) 431-1177

TMG/jgg

Enclosure: Exhibits A and B
Replacement Drawing Fig.18- 21.
Abstract
Postcard

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REPLACEMENT SHEET

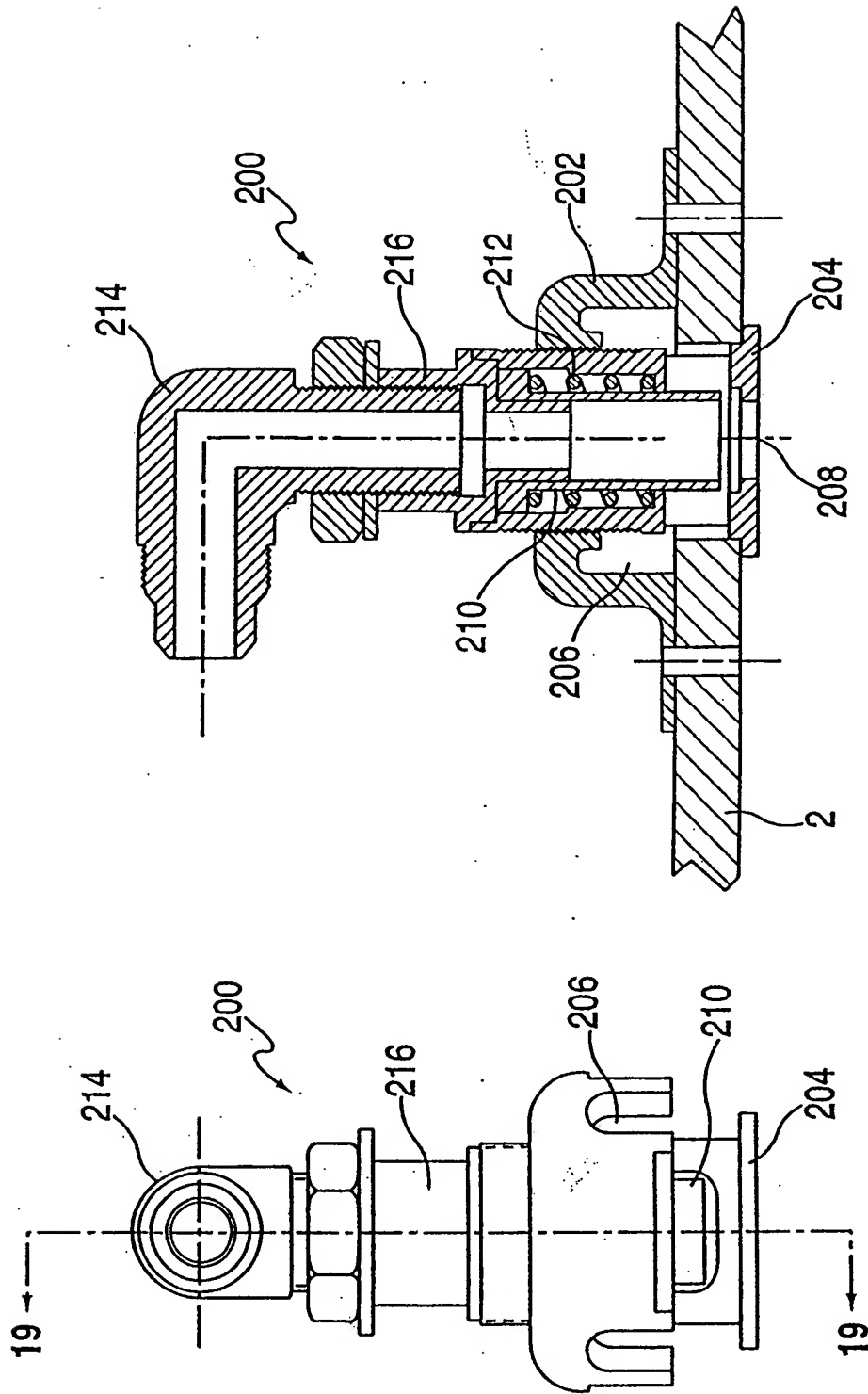


FIG. 19

FIG. 18

REPLACEMENT SHEET

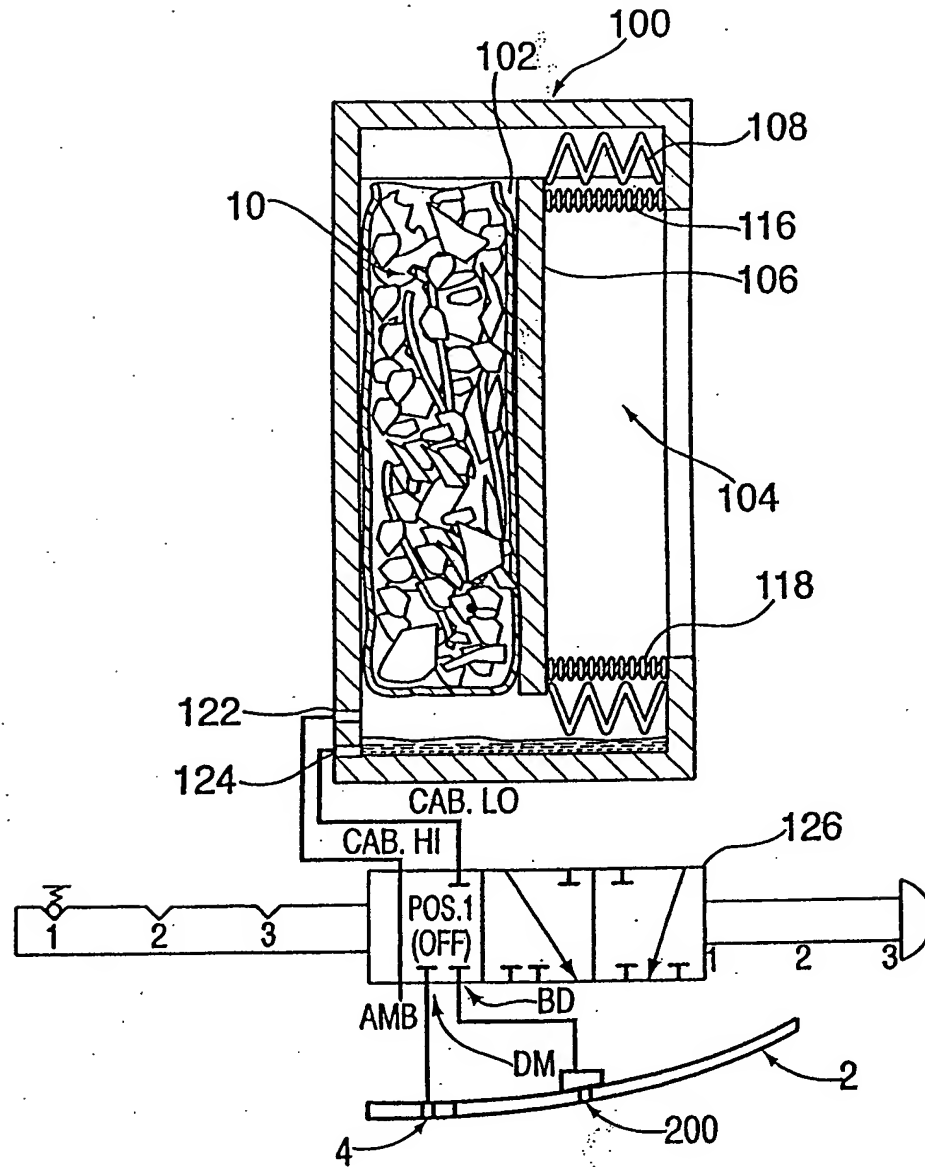


FIG. 20

REPLACEMENT SHEET

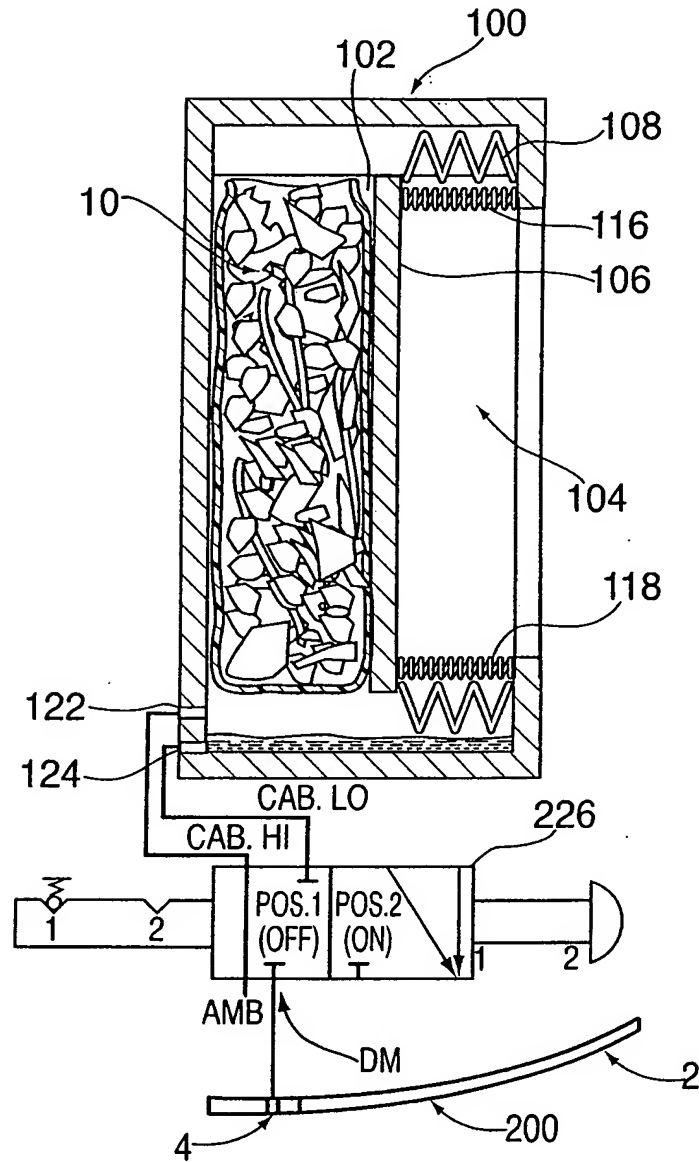


FIG. 21

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EXHIBIT B

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Office Action Summary



Application No.

11/324,661

Applicant(s)

PALESCHUCK, MAURICE

Examiner

Jack H. Morgan

Art Unit

3782

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8,10-15,18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8,11-14,18 and 19 is/are rejected.
- 7) ☒ Claim(s) 10 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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